

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-16 are pending in this application. Claims 1, 7, 13, 15, and 16 are amended by the present amendment.

Amendments to the claims find support in the application as originally filed, at least in Applicant's Fig. 12 and in the specification at page 23, lines 3-12, and page 30, line 18 to page 36, line 15. Thus, no new matter is added.

In the outstanding Office Action, Claims 1-4, 6-10, and 12-14 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Publication 2004/0114495 to Kim et al. (herein "Kim") in view of U.S. Patent 6,141,304 to Ogasawara; Claims 5 and 11 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kim in view of Ogasawara and U.S. Publication 2006/0077784 to Kanaya et al. (herein "Kanaya"); and Claims 15 and 16 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kim, Ogasawara, and U.S. Patent 7,301,864 to Horinouchi et al. (herein "Horinouchi").

Initially, Applicant and Applicant's representative gratefully acknowledge the courtesy of an interview with Examiner Fischer and Supervisory Patent Examiner Nguyen on September 8, 2009. During the interview, rejections in the Office Action and differences between the references in the Office Action and the claimed invention were discussed. Comments and claim amendments discussed during the interview are reiterated below.

Further, Applicant respectfully traverses the rejection of Claims 1-4, 6-10, and 12-14 under 35 U.S.C. § 103(a) as unpatentable over Kim and Ogasawara.

Amended Claim 1 is directed to an optical pickup device that includes, in part, first, second, and third light emitting elements, and first and second collimating lenses that change one of the first, second, or third light beams emitted by the light emitting elements into first

or second rays of parallel light. The device also includes first and second optical systems, each including a corresponding object lens and serving to converge by that lens, the first or second rays of parallel light. The device also includes an object lens drive unit including a bobbin that holds the first and second object lenses, and a comatic aberration correcting means for correcting a comatic aberration of the second optical system relatively taking place with respect to the first optical system. The comatic aberration correcting means is arranged between the second collimator lens and the second object lens. Independent Claims 7 and 13 include related features and have different scopes of invention.

Applicant's Fig. 5 shows a non-limiting embodiment in which a comatic aberration correcting device 76 is arranged between a second collimator lens 242 and a second object lens 32. Applicant has found that by arranging light incident on a comatic aberration correcting means to be parallel rays of light, positioning of the comatic aberration correcting means can be done more easily and with greater precision.

Applicant respectfully submits that Kim and Ogasawara fail to teach or suggest each of the features of any of independent Claims 1, 7, or 13. For example, Applicant respectfully submits that Kim and Ogasawara fail to disclose or otherwise suggest an optical pickup device that includes first and second collimator lenses that change light emitted from light emitting elements into first and second rays of parallel light and a comatic aberration correcting means that is arranged between the second collimator lens and a second object lens.

As previously noted in the Office Action dated June 12, 2009, Kim fails to disclose an aberration correcting means that is arranged in an optical path of a second optical system between a light emitting element and an optical system.¹ In addition, Applicants respectfully

¹ Office Action dated June 12, 2009 at page 6, lines 8-10.

submit that Kim also fails to teach or suggest an aberration correcting means that is arranged between a collimator lens and an object lens.

Ogasawara describes an optical system in which a laser light source 1 emits light that passes through a polarization beam splitter 2 to reach a liquid crystal panel 3 and quarter wave panel 4.² However, Ogasawara fails to indicate that light beams emitted from a laser are changed into rays of parallel light, and Ogasawara fails to indicate that the parallel light rays are incident on the second object lens after passing through a comatic aberration correcting device. Accordingly, Applicants respectfully submit that Kim and Ogasawara fail to teach or suggest an optical pickup device having first and second collimator lenses that change light beams into first and second rays of parallel light, respectively, and fail to teach or suggest comatic aberration correcting means “arranged in an optical path of the second optical system between the second collimator lens and the second object lens,” as required by the independent claims.

Accordingly, it is respectfully submitted that independent Claims 1, 7, and 13 and claims depending therefrom patentably define over Kim and Ogasawara. Therefore, it is respectfully requested that rejection of Claims 1-4, 6-10, and 12-14 under 35 U.S.C. § 103(a) as unpatentable over Kim and Ogasawara be withdrawn.

In addition, Applicant respectfully traverses the rejections of Claims 5, 11, 15, and 16 under 35 U.S.C. § 103(a) as unpatentable over Kim, Ogasawara, and Horinouchi or Kanaya.

Claims 5, 11, 15, and 16 depend from independent Claims 1 and 7, respectively. Further, as discussed above independent Claims 1 and 7 are believed to patentably define over Kim and Ogasawara.

In addition, as discussed during the interview, Kim, Ogasawara, and Horinouchi fail to teach or suggest each of the features of any of amended Claims 15 or 16. For example, as

² Ogasawara at column 5, lines 1-13.

noted in the Office Action at page 7, lines 12-15, Kim fails to disclose a portion of a flange that is removed and Kim fails to disclose overlapping a portion of a removed flange with an other one of the first and second object lens.³ In addition, it is respectfully submitted that Ogasawara and Kanaya also fail to teach or suggest that feature.

Horinouchi describes an objective lens, optical pickup device, and optical disc drive having objective lenses 232 and 233.⁴ In addition Horinouchi indicates that an objective lens 233 has an OL principal point and the objective lens 233 may be designed in such a manner that the position of the OL principal point of the objective lens 233 is placed above a flange of the objective lens 233.⁵ Further, Horinouchi indicates that a lens holding cylinder 235 can adjust the objective lens 233 around the OL principal point.⁶ Further as shown in Horinouchi Figs. 42 and 43, a portion of a flange of objective lens 232 is removed, and the removed portion overlaps with an objective lens spacer 266. Thus, as clearly indicated in Horinouchi Figs. 42 and 43, the objective lens 232 of Horinouchi (e.g., first objective lens) has a removed flange portion that ***does not overlap*** with any portion of objective lens 233 (e.g., second objective lens). In addition, as clearly indicated by Horinouchi Fig. 42, a distance between a converging portion of objective lens 232 and a converging portion of objective lens 233 is greater than a width of flange of either one of the objective lenses of Horinouchi.

Accordingly, as discussed during the interview, Kim, Ogasawara, Kanaya, and Horinouchi fail to teach or suggest an optical pickup device in which “a portion of the flange of one of the first and second object lenses is removed and the other one of the first and second object lenses is arranged to overlap the portion of the flange that is removed so that a distance between the converging portion of the first object lens and the converging portion of

³ Office Action at page 7, lines 12-15.

⁴ Horinouchi at Fig. 42.

⁵ Horinouchi at column 38, lines 33-41.

⁶ Horinouchi at column 38, lines 41-47.

the second object lens is equal to a width of the flange of the one of the first and second object lenses that is removed,” as recited in Claim 15, and as similarly required by Claim 16.

Therefore, Applicant respectfully submits that Claims 15 and 16 also patentably define over Kim, Kanaya, Ogasawara, and Horinouchi, for that distinct reason in addition to the reasons noted above with regard to the independent claims.


Therefore, it is respectfully requested those rejections under 35 U.S.C. § 103(a) also be withdrawn.

Accordingly, Applicant respectfully submits that independent Claims 1, 7, and 13, and claims depending therefrom, are allowable.

Consequently, in light of the above discussion and in view of the present amendment this application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/09)

Zachary S. Stern
Registration No. 54,719